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7 Attorneys for Plaintiff
United States of America

8 UNITED STATES DISTRICT COURT
9
10 SOUTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)	Criminal Case No. 09CR0226-BEN
)	
12 Plaintiff,)	
)	GOVERNMENT MOTION TO CLARIFY
13 v.)	JUDGMENTS
)	
14 JUSTINE LORRAINE RICE (1) and)	
15 WENDELL ANTHONY RICE (2),)	
)	
16 Defendants.)	
)	
17 _____)	

18 The Plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Karen P.
19 Hewitt, United States Attorney, and Carol M. Lee, Assistant United States Attorney, files this
20 Motion pursuant to Fed. R. Crim. P. 36 requesting that the Court enter modified judgments and
21 commitments in the above-captioned case against both Defendants JUSTINE LORRAINE RICE and
22 WENDELL ANTHONY RICE.

23 The basis for this motion is to clarify the Judgments of Defendants JUSTINE LORRAINE
24 RICE and WENDELL ANTHONY RICE filed October 6, 2009 (Docket No. 51), and August 24,
25 2009 (Docket No. 59), imposed restitution against each defendant individually in the amount of
26 \$225,201.70. The United States respectfully requests that the judgments be clarified to reflect that
27 the restitution obligation of each defendant imposed by the respective judgments and commitments
28

1 be imposed as joint and several for the \$225,201.70 restitution. The following proposed clarification
2 does not increase the total amount of restitution of \$225,201.70 imposed on the Defendants, but
3 simply clarifies that the obligation to pay the restitution is joint and several.

4 DATED: October 23, 2009.

5 Respectfully submitted,

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7 KAREN P. HEWITT
United States Attorney

8 s/ Carol M. Lee
9 CAROL M. LEE
Assistant U. S. Attorney
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Criminal No. 09CR0226-BEN
)	
Plaintiff,)	
)	
v.)	
)	CERTIFICATE OF SERVICE
JUSTINE LORRAINE RICE (1) and)	
WENDELL ANTHONY RICE (2))	
)	
Defendants.)	
_____)	

IT IS HEREBY CERTIFIED THAT:

I, Carol M. Lee, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of Government's Motion to Clarify Judgments the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

N/A

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

Gary Paul Burcham	Wendell Anthony Rice
Attorney at Law	FCI Lompoc
Law Offices of Gary P. Burcham	Federal Correctional Institution
964 Fifth Avenue, Suite 300	3600 Guard Road
San Diego, CA 92101	Lompoc, CA 93436

Justine Lorraine Rice
Pro Se
Eloy Detention Center
1705 East Hanna Road, B-207
Eloy, AZ 85231

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 23, 2009.

S/Carol M. Lee
CAROL M. LEE